

REMARKS/ARGUMENTS

Claims 13, 14 and 18-20 remain pending in the application, as claims 1-12 and 15-17 have been previously canceled without prejudice. In the Office Action, claims 13, 14 and 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0073701 to Huang, et al. (Huang) in view of U.S. Patent Application Publication No. 2002/0078196 to Kim, et al. (Kim).

Independent claim 13 recites the limitations of a channel buffer being coupled to the channel in which the channel buffer stores data that is to be sent via the channel, and the IPC scheduler choosing enough data from the channel buffer to support a data rate required by the channel and scaling the data that the IPC scheduler picks from the channel buffer depending on a size of an IPC frame that is used by the IPC scheduler. Applicants respectfully submit that neither Huang nor Kim describe such features.

In particular, the passages in Huang on which the Examiner bases the rejection of claim 13 (paragraphs 0078-0079 and 0082, as shown on page 4 of the Office Action) merely describe a process of a publisher populating notification attributes with appropriate values for publication of content to authorized devices listening for content on the proper channel (see also paragraph 0077). In addition, by knowing the packet format or structure for a particular channel, the intelligent routers can quickly locate subjects and attributes or other information in the packet for content-based routing (see paragraph 0081). Applicants respectfully point out, however, that Huang simply does not mention anything about scaling the publication content. That is, the intelligent routers only rely on the format of the packets for determining where to rout content; the intelligent routers do not scale the content based on a format of these packets.

Moreover, Applicants submit that Kim does not teach such a feature. The Examiner contends that Kim shows the concept of “. . . scaling and selecting data to meet the QoS requirements” (see page 5 of the Office Action). The Examiner, however, fails to show where Kim expressly or even implicitly states this limitation. In fact, the terms “scale” or “scaling” are nowhere to be found in Kim.

In view of the above, Applicants submit that the above claims are patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

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